



STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF EXAMINERS OF  
ELECTRICAL CONTRACTORS

---

IN THE MATTER OF  
SANTIAGO GARRIDO  
License No. 5845

---

Administrative Action  
FINAL ORDER  
OF DISCIPLINE

This matter was opened to the New Jersey State Board of Examiners of Electrical Contractors upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

#### FINDINGS OF FACT

1. Respondent has been a licensed electrical contractor since September 1, 1978. His license expired on March 31, 2000 and was not renewed until November 9, 2000.

2. The Electrical Subcode Official of Bayonne, New Jersey, has reported that respondent applied for a permit to perform electrical work on at least five different jobs during the period between April of 2000 through July of 2000. All of these jobs were completed..

3. In addition, respondent performed electrical work at 88 Marion Street in Carteret, New Jersey at a time when his license had expired, and prior to its renewal.

4. Respondent has acknowledged that he did not timely renew his license and business permit because he had moved, and had not notified the Board of his new mailing address.

5. On December 15, 2000, respondent was advised to inform the Board as to whether he had been able to correct violations on the electrical work in Carteret, and to provide a copy of the

final inspection for each of the five permits he had taken out in Bayonne. The letter was sent by both certified and regular mail. The regular mail was not returned; the certified mail came back "unclaimed."

6. On January 16, 2001, and February 7, 2001, letters were sent by certified and regular mail from the Board to respondent, requesting that he respond to the Board's December 15, 2000 request for information, and reminding him of his obligation to cooperate with the Board's inquiry. In each of the letters, a response was requested by a date certain. No response was received by the specified date. Regular mail was not returned; certified mail came back "unclaimed."

7. No response was received by the Board to these letters.

#### CONCLUSIONS OF LAW

1. Respondent's performance of electrical work on at least six occasions, as described in paragraphs #2 and #3 above, during a period in which his license and business permit had expired, constitute a violation of N.J.S.A. 45:5A-9, and thus subject respondent to sanctions pursuant to N.J.S.A. 45:1-25.

2. Respondent's failure to respond to three letters from the Board constitutes a failure to cooperate pursuant to N.J.A.C. 13:45C-1.2 and 13:45C-1.3. This constitutes professional and occupational misconduct pursuant to N.J.S.A. 45:1-21(e), and failure to comply with provisions of an act or regulation administered by the Board pursuant to N.J.S.A. 45:1-21(h).

3. Respondent is consequently subject to penalties pursuant to N.J.S.A. 45:1-14 et seq.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on April 11, 2001, and a copy was forwarded to respondent at the last known address on file with the Board. The Provisional Order assessed a provisional civil penalty of \$2,500.00 against respondent for his violation of N.J.S.A. 45:5A-9, prohibiting the unlicensed practice of electrical contracting; a civil penalty of \$1,000.00 for violation of respondent's duty to cooperate with Board inquiries and investigations; and imposing a suspension of respondent's license and business

permit until he has responded to the Board's request for information with regard to the Carteret complaint and the Bayonne violations, either by forwarding to the Board the final inspections on the Carteret and the five Bayonne jobs, or forwarding an explanation to the Board as to why these inspections are not forthcoming. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Although the Provisional Order sent by means of certified mail was returned as unclaimed, the regular mail was not returned. Because the Order was forwarded to respondent's address of record, the Board deems service to have been effected. Accordingly, it determined that further proceedings were not necessary and that the Provisional Order should be made final.

ACCORDINGLY, IT IS on this *31<sup>st</sup>* day of *July*, 2001,  
ORDERED that:

1. Respondent is hereby assessed a civil penalty of \$2500.00 for his violation of N.J.S.A. 45:5A-9, prohibiting the unlicensed practice of electrical contracting.
2. Respondent is hereby assessed a civil penalty of \$1000.00 for violation of his licensee's duty to cooperate with the Board's inquiries and investigations.
3. Respondent is hereby suspended until he has complied with his duty to cooperate and has responded to the Board's request for information with regard to the Carteret complaint, and the Bayonne violations, either by forwarding to the Board the final inspections on the Carteret and

the five Bayonne jobs, or forwarding an explanation to the Board as to why you cannot forward these final inspections.

NEW JERSEY STATE BOARD OF  
EXAMINERS OF ELECTRICAL CONTRACTORS

By:



\_\_\_\_\_  
Joseph P. Schooley  
Board Chairman